

### **REMARKS**

Claims 1-14, 16-45 and 47-64 are pending in this application after this amendment. New claim 64 is presented for consideration by the Examiner. No new matter has been added by the addition of new claim 64. Based on the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicant has amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claims 1, 3, 4, 14, 30, 32 and 33 under 35 U.S.C. §103(a) as being unpatentable over Suzuki (USP 5,724,579) in view of Bloomfield et al. (USP 5,555,100); rejected claims 2 and 31 under 35 U.S.C. §103(a) as being unpatentable over Suzuki in view of Bloomfield and further in view of Nanba (USP 6,297,870); and rejected the remainder of the claims under 35 U.S.C. §103(a) using a variety of combinations of references. Applicant respectfully traverses these rejections.

#### **Claim Rejections – 35 U.S.C. §103 – Suzuki/Bloomfield**

By this amendment, Applicant has amended claim 1 to recite, inter alia, an image data transmitting device, comprising an information processing device that creates a reduced image data based on a subject main image data by reducing the subject main image data, and stores an image file including the subject main image data and the reduced image data in a storage medium; wherein the information processing device adds information to the reduced image data, the added information indicating the main image data has been transmitted, the added information identifying the external apparatus to which the main image has been transmitted, or the added information indicating the main image data has be stored, the added information identifying a location of the storage.

The Examiner has relied on the teachings of Tomat to cure the deficiencies of the teachings of Suzuki and Bloomfield with regard, for example, to claims 7 and 11. Applicant maintains that the claim 1 is not obvious over the teachings of Suzuki, Bloomfield, and Tomat.

The disclosure of Tomat is directed to a system for managing digital camera images. In Fig. 24 Tomat discloses various icons that may be displayed along with a thumbnail image at a computer. Specifically, at col. 15, line 54 through col. 16, line 10, Tomat discloses as follows:

FIG. 24 shows various icons that may be displayed along with thumbnail image 211 within a blocked area representing a photo group. In this regard, blocked area 220 contains Sound icon 222, Auto-Correct icon 223, and Acquired icon 224. Sound icon 222 indicates that photo group 5, represented by blocked area 220, contains one or more associated sound files. Preferably, double clicking sound icon 222 causes the associated sound files to play in sequence.

Auto-Correct icon 223 indicates that thumbnail image 211 is displayed after being subjected to an Auto-Correct function. The Auto-Correct function will be described below with reference to toolbar 196.

Acquired icon 224 indicates that photo group 5 has been downloaded from camera 14 to another storage device or that its associated full-resolution image file has been inserted into an application. Each photo group within camera 14 will hold its "acquired" state until the current installation of interface 190 is quit, until memory 36 of camera 14 is erased, or until camera 14 is disconnected from computer system 1. It should be noted that Acquired icon 224 is displayed only in cases where a camera-stored canister is being viewed in area 192 because photo groups within canisters located on other storage devices have, by definition, already been acquired.

As can be seen from the above disclosure, Tomat discloses a shell extension module that permits a user to browse files stored in a camera. A user interface window permits a user to view thumbnails images. The image may include an acquired icon that merely discloses that a photo group has been downloaded from a camera to another storage device.

However, claim 1, as amended, clearly requires wherein the information processing device adds information to the reduced image data, the added information indicating the main image data has been transmitted, the **added information identifying the external apparatus to**

**which the main image has been transmitted**, or the added information indicating the main image data has be stored, **the added information identifying a location of the storage**.

Applicant respectfully submits that Tomat fails to teach or suggest the added information added information identifying the external apparatus or the location of the storage as recited in claim 1.

As neither of the other cited references, either alone or in combination, teach or suggest these claim elements, Applicant respectfully submits that claim 1, as amended, is not obvious over the references as cited by the Examiner. It is respectfully requested that the outstanding rejection be withdrawn.

Applicant respectfully submits that claim 1, together with claims dependent thereon, are not obvious over the references as cited by the Examiner as the Examiner has failed to establish *prima facie* obviousness for the reasons noted above. It is respectfully requested that the outstanding rejection be withdrawn.

Further, claim 30, as amended, recites, *inter alia*, “adding information to the reduced image data, the added information indicating the main image data has been transmitted and further identifying the external apparatus to which the main image data has been transmitted.” For the reasons set forth above, claim 30, together with claims dependent thereon, are not obvious over the references as cited.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 09/833,649  
Amendment dated November 12, 2008  
Reply to Office Action of August 11, 2008

Docket No.: 0879-0310P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: November 12, 2008

Respectfully submitted,

By 

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